

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 24-43 are pending in the application, with claims 24-28 being the independent claims. Claims 24, 27 and 28 have been amended to clarify the nature of the polynucleotides and polypeptides claimed. New claims 29-43 are sought to be added. Support for the amendments to claims 24, 27 and 28 and the new claims can be found throughout the specification, *inter alia*, at page 24, line 28 - page 28, line 9. These changes are believed to introduce no new matter, and their entry is respectfully requested. In addition, it is believed that these amendments will put the application in condition for allowance or better form for consideration on appeal.

Applicants wish to thank the Examiner for the notification that claims 25 and 26 are allowable.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 112, first paragraph

Claims 24 and 27 were rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the enablement requirement. Not in acquiescence in the propriety of the rejection, but rather solely to advance prosecution, Applicants have amended claims 24 and 27 to remove the limitation that the polynucleotides be at least

95% identical to the claimed sequence. Therefore, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Claims 24 and 27 were rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. Not in acquiescence in the propriety of the rejection, but rather solely to advance prosecution, Applicants have amended claims 24 and 27 to remove the limitation that the polynucleotides be at least 95% identical to the claimed sequence. Therefore, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 24, 27 and 28 were rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Applicants have amended the claims to add the phrase "and wherein said" which was inadvertently left out of the previous claim set. Therefore, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Rejections under 35 U.S.C. § 102

Claims 20-23 and 28 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,494,806. Not in acquiescence in the propriety of the rejection, but rather solely to advance prosecution, Applicants have cancelled claims 20-23. Furthermore, Applicants have amended claim 28 to remove the limitation regarding

the percent identity of the claimed amino acid sequences. Therefore, Applicants respectfully request that the rejection be reconsidered and withdrawn.

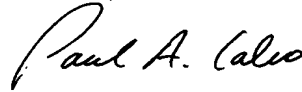
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Paul A. Calvo
Agent for Applicants
Registration No. 57,913

Date: 5/18/06

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

520216_1.DOC